

HOLLAND & HART LLP
5441 KIETZKE LANE
SECOND FLOOR
RENO, NV 89511

RICHARD L. ELMORE, NSB #1405
TAMARA REID, NSB #9840
HOLLAND & HART LLP
5441 Kietzke Lane, Second Floor
Reno, NV 89511
T: (775) 327-3000 / Fax: (775) 786-6179
Email treid@hollandhart.com

TERRY GROSS (*pro hac vice pending*)
ADAM C. BELSKY (*pro hac vice*)
GROSS BELSKY ALONSO LLP
One Sansome Street, Suite 3670
San Francisco, CA 94104
T: (415) 544-0200 / Fax: (415) 544-0201
Email: terry@gba-law.com

ANNETTE L. HURST (*pro hac vice*)
KAREN G. JOHNSON-MCKEYAN (*pro hac vice*)
ORRICK HERRINGTON & SUTCLIFFE LLP
405 Howard Street
San Francisco, California 94105
T: (415) 773-5700 / Fax: (415) 773-5759
Email: ahurst@orrick.com

ROBERT P. REZNICK (*pro hac vice*)
ORRICK HERRINGTON & SUTCLIFFE LLP
1152 15th Street, N.W.
Washington, D.C. 20005
T: (202) 339-8400 / Fax: (202) 339-8500
Email: rreznick@orrick.com

Attorneys for Plaintiff Black Rock City LLC

THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

BLACK ROCK CITY, LLC,
Plaintiff,
vs.

PERSHING COUNTY BOARD OF
COMMISSIONERS, et al.,

and

PAT IRWIN, in his official capacity as
Chairman, Pershing County Board of
Commissioners;

and

CAROL SHANK, in her official capacity as
Vice-Chairman, Pershing County Board Of
Commissioners;

CASE No.: 3:12-cv-00435-RCJ-VPC

**ORDER GRANTING IN PART
DENYING IN PART STIPULATION
TO CONTINUE TRIAL DATE**

CASE NO.: 3:12-cv-00435-RCJ-VPC

TITLE

1 and
2 DARIN BLOYED, in his official capacity as a
3 Pershing County Commissioner;
4 and
5 JAMES SHIRLEY, in his official capacity
6 as District Attorney, Pershing County,
7 Nevada;
8 and
9 RICHARD MACHADO, in his official
10 capacity as Sheriff, Pershing County, Nevada,
11
12 Defendants.

13 In accordance with and pursuant to the Federal Rules of Civil Procedure, Plaintiff Black
14 Rock City, LLC, and Defendants, Pershing County Board of County Commissioners, Pat Irwin,
15 Carol Shank, Darin Bloyed, James Shirley and Richard Machado, through their undersigned
16 counsel, hereby stipulate and agree as follows:

17 1. At a Case Management Conference (CMC) conducted on January 8, 2013, the
18 parties were informed that the trial in this matter was set for Tuesday, September 24, 2013 at
19 8:30 a.m. At the time of the CMC, counsel for all Parties expressed their concerns and
20 conflicts regarding the selected trial date as all counsel believed a trial date in 2014 was
21 appropriate, given the timing of the 2013 Burning Man Event and the amount of discovery
22 necessary, and counsel were advised to obtain a new trial date from the Court. [Doc. 42]

23 2. The 2013 Burning Man Event is scheduled to run from August 26, 2013 to
24 September 2, 2013. However, the preparation leading up to the opening of the event and the
25 time commitment required to close the event is substantial. With the current trial date only
26 three weeks after the event, the Parties anticipate scheduling problems for several parties and
27 third-party witnesses involved in the event.

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1 3. In addition to the conflict with the timing of the 2013 Burning Man Event, the
2 parties have concurrently stipulated to extend discovery deadlines because the parties are
3 currently engaging in settlement discussions. The Parties participated in an all-day mediation
4 on April 4, 2013. Although no resolution was reached as a result of this initial mediation, the
5 Parties have agreed to continue negotiating a potential settlement of this matter. Based on
6 proposals exchanged on April 4, 2013, the Parties have to involve a third-party in their
7 continuing settlement negotiations.

8 4. The Parties have also encountered certain delays with respect to discovery.
9 These delays were due to difficulties Defendants encountered in responding to requests for
10 production, which delayed the date of production for almost a month, and the parties are in the
11 process of meeting and conferring as to the sufficiency of these responses. As a result,
12 depositions had originally been set for February 2013, had to be continued for several months
13 due to the unavailability of the witnesses, the issues concerning the production of documents
14 and to accommodate the April 4, 2013 mediation.

15 5. The parties' stipulation to extend discovery deadlines will enable all discovery
16 to be completed efficiently, but discovery and necessary motion practice cannot be completed
17 in time for the current trial date of September 24, 2013.

18 6. Due to the problems stated herein, the parties hereby stipulate and agree to
19 vacate the current trial date of September 24, 2013 and continue the trial to an available date in
20 March 2014.

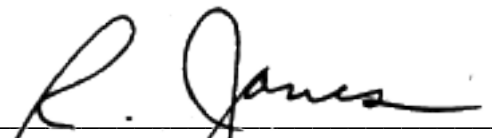
21 ORDER

22 IT IS HEREBY ORDERED that the parties request to vacate the current trial date of
23 September 24, 2013 and continue the trial to an available date in March 2014 is
24 GRANTED in PART and DENIED in part.

25 IT IS FURTHER ORDERED that the current trial date of September 24, 2013 is
continued to Tuesday, November 19, 2013 at 8:30 A.M.

26 IT IS FURTHER ORDERED that Calendar Call is set for Tuesday November 12, 2013
at 8:30 A.M., in Reno Courtroom 6, before Chief Judge Robert C. Jones.

27 IT IS SO ORDERED this 10th day of July, 2013.

28 
ROBERT C. JONES
Chief Judge